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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,347	03/18/2004	Jeffrey P. Buschmann	03-1-515-D5	5817

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EXAMINER

REHM, ADAM C

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/803,347

Applicant(s)

BUSCHMANN ET AL.

Examiner

Adam C. Rehm

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/21/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

- A “first edge” per Claim 1, etc.;
- An “end wall” per Claim 13, etc.;
- A “rigid non-conducting body” per Claim 6, etc.;
- “Axially-extending crevices” per Claim 6, etc.;

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: “interior wall 20.”

3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

Art Unit: 2875

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

4. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

5. Claims 3, 4 and 8 are objected to because of the following informalities:

6. Claim 3, Line 2, the word combination "substantially mechanically" is incorrect. It appears that it should instead be --substantially rigid tubes mechanically--.

7. Claim 4, Line 2, the word "trough" should be --through--.

8. Claim 8, Line 4, the word "or" is incorrect. It appears that it should instead be --of--.

9. Claim 14, Line 1, the character "14" is incorrect. It appears that it should instead be --13--.

10. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2875

12. Claims 1, 8, 13 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. There is insufficient antecedent basis for the following limitations in the claims:

- Claims 1 and 13 recites the limitation "the support frame" in Line 12 and Line 3 respectively.
- Claim 7 recites the limitation "the non-conducting body" in Line 1.
- Claim 8 recites the limitation "the planar face" in Line 10.
- Claim 14 recites the limitation "the tubular piece" in Line 3.

14. Regarding claim 16, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by MAYER ET AL. (US 6,724,135). MAYER provides a sealed electric lamp capsule (20) having two or more electric in-leads (22/23); a support holding the lamp capsule (32); a reflector having an interior wall defining a cavity of rotation (10, Fig. 1), the reflector having a first edge defining a base opening (19) and a second edge defining a face

Art Unit: 2875

opening (10, the side opposite to 19), the interior wall including one or more projections/steps offset from the face opening and extending into the defined cavity (10, portion adjacent to lens 11); the reflector enclosing the lamp capsule (Fig. 1); a lens located entirely in the defined cavity and spanning a cross section of the cavity adjacent the one or more projections (Fig. 1 illustrates lens 11 recessed entirely within the reflector 10), and sealed along the lens to the interior surface (11, Fig.1), and a threaded base providing electrical connection for the two or more electric leads and mechanical support for the support frame (41, Fig. 1 and Column 3, Lines 33-64).

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claim 3-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over MAYER ET AL. (US 6,724,135) as applied to claim 1 above, and further in view of HARADEN ET AL. (US 5,254,901). MAYER provides the elements as recited above, but does not provide rigid tubes or a non-conducting body.

19. HARADEN teaches rigid tubes/crevices/passages (304/305/309) or a non-conducting body (209/309, Column 2, Lines 61-68) that is mechanically attached/coupled/bonded via an intermediate material/adhesive (211) to and axially extending from and through a reflector base/end wall (201/301, base of reflector 201, Column 2, Line 66-Column 3, Line 2/Column 3, Lines 36-47), having electrical

Art Unit: 2875

connections extending through the tubes (306/307/312/313) and crimped with flared ends (Figs. 2 and 3) for a safe electric connection (Column 1, Lines 1-3).

20. It is well known that an insulating or non-conducting body is required to prevent electric shock or shortage within an electrical device. As such, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the MAYER device and use the insulated tubes of HARADEN in order to safely convey leads from a light source to an energy source.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

21. DELUCIA (US 3,776,429) discloses a flashlight having a recessed lens.

22. MEYERS ET AL. (US 5,119,282) discloses a reflector lamp assembly having an enclosed reflector and threaded base.

23. FIELDS ET AL. (US 5,446,981) discloses a lamp having leads that are crimped and flared.

24. KRAPP ET AL. (US 5,531,742) discloses a lamp and reflector kit having a recessed lens.

25. OHISHI (US 5,603,561) discloses a lamp with a recessed lens.

26. MORRIS (US 6,705,748) discloses a lamp having an lens enclosed in a reflector.

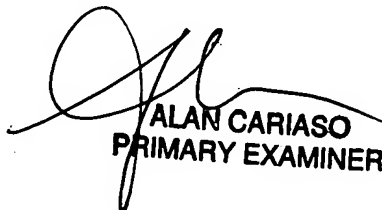
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam C. Rehm whose telephone number is 571.272.8589. The examiner can normally be reached on M-F 9-5:30 EST.

Art Unit: 2875

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571.272.2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACR  
7/20/2005



ALAN CARIASO  
PRIMARY EXAMINER